IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE NINETH DAY OF JULY,

TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 18230 of 1994

Between:

1 Medepalli Sarada, d/o M. Saryanarayana Murthy,
R/o D.No.6-7-7, T.Nagar, Rajahmundary,
E.G.dist (Hall Ticket No.1507)
2 T. Radha Madhavi Devi, D/o Late Sudarsana Chari,
R/o C/o K. Kirshnachari,

D.No.47-1-5, Danavaipeta, Rajahmundary,
E.G.dist (Hall Ticket No.2414)
3 M. Krishnaveni Kumari, D/o Lakshmanacharyulu,
R/o H.No.7-27-8,T.Nagar, Rajahmundary,
E.G.dist (Hall Ticket No.2811)

4 D.V. Ramana Kumari, D/o Venkataramayya,

W/o M. Nagendra Rao,

R/o Chintalapalli (VIA), Sivakodu Razole (M),
E.G.dist (Hall Ticket No.1626)
5 Gummadi Glory Gracemma, D/o G. Venkataramayya,
R/o Burn Pet (P.O), Behind Venkateswara

Temple, Narasaraopet,
Guntur Dist (Hall Ticket No.7110)

....PETITIONERS

AND

1 The Govt of A.P., Rep by its Secretary,
Panchayat Raj Department, Secretariat Buildings,
Hyderabad.

2 The Govt of A.P., Rep by its Secretary
Education Department, Secretariat Buildings,

Hyderabad.
3 The Dist Collector, East Godavari, Kakinada.
4 Chief Executive Officer, Zilla Parishad, E.G.Dist, Kakinada.
5 The Dist Collector, Guntur, Guntur District.
6 Chief Executive Officer, Zilla Parishad, Guntur, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction declaring that G.O.Ms.No.221 Education Department dt:16-7-1994 as unconstitutional and illegal and further direct the respondents to appoint the petitioners as teachers in the existing vacancies in the A.P. State Controlled Bodies along with the petitioners covered by the order of this Honourable Court by Sri Justice S.R. Nayak in WPMP.No.17958/1994 etc, in WP.No.17104/94 etc batch dt:8-9-1994 after declaring that Art. 323-A Cl. 2(d) of the constitution and section 28 of A.P. Administrative Tribunal Act 1985 as unconstitutional for violating the basic structure.

Counsel for the Petitioners : Mr.S.I.NEWTON

Counsel for the Respondents 1,2,3 AND 5 :GP FOR PANCHAYAT RAJ & RURAL DEVELOPMENT.

For the respondents 4 and 6: Ms. K. Jhansi Rani, Advocate.

The Court made the following :

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O R D E R :-

It is represented by the learned counsel for the petitioners as well as the learned Government Pleader for Panchayat Raj that this Writ Petition is not maintainable, in view of the Judgment of the Supreme Court in ***L.CHANDRAKUMAR Vs. UNION OF INDIA*** and the remedy of the petitioners is to approach the Andhra Pradesh Administrative Tribunal.

In the circumstances, this Writ Petition is dismissed, giving liberty to the petitioners to approach the Andhra Pradesh Administrative Tribunal and seek redress of their grievance, if the petitioners are so advised and so chosen. No costs.

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09-07-2004

prv

To

1. The Secretary, Govt of A.P., Panchayat Raj Department,

Secretariat Buildings, Hyderabad.

2 The Secretary, Govt of A.P.,
Education Department, Secretariat Buildings,
Hyderabad.

3 The Dist Collector, East Godavari, Kakinada.

4 Chief Executive Officer, Zilla Parishad, E.G.Dist,
Kakinada.

5 The Dist Collector, Guntur, Guntur District.

6 Chief Executive Officer,
Zilla Parishad, Guntur, Guntur District.

7. Two CCs to Government Pleader for Panchayat

Raj and Rural Development, High Court Buildings, Hyderabad.(O.U.T)

8 Two CD copies.